

FILED

MAR 28 2019

U.S. DISTRICT COURT  
EASTERN DISTRICT OF MO  
ST. LOUIS

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA.

Plaintiff,

$$V_{\alpha}$$

BERNARD TOLER.

Defendant.

No.

**4:19CR00259 CDP/SPM**

**MOTION FOR PRETRIAL DETENTION AND HEARING**

Comes now the United States of America, by and through its Attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Linda R. Lane, Assistant United States Attorneys for said District, and moves the Court to order Defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of Defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, §3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Defendant is charged with one count of being a felon in possession of a firearm in violation of Title 18, United States Code, Section 922(g)(1).
2. According to St. Louis County Police Department complaint number 19-8630, on February 20, 2019, police officers observed a vehicle with no visible license plate make an abrupt turn without signaling. Officers attempted to conduct a traffic stop. The vehicle sped away at a high rate of speed. The vehicle eventually parked at an Advance Auto Parts building. Officers approached the vehicle and commanded Defendant, the driver and sole occupant, to exit. Defendant refused and reeved the engine. A struggle ensued between Defendant and an officer inside the vehicle.

Officers broke the driver's side window to assist the officer. In plain view, officers observed a firearm in the middle compartment of the vehicle.

3. Defendant's criminal history includes convictions for distribution of a controlled substance, unlawful possession of a firearm, unlawful use of a weapon, possession manufacture or sell of illegal weapons, and resisting arresting causing risk of death or injury.
4. Pursuant to Title 18, United States Code, Section 3142(g), the weight of the evidence against defendant, the defendant's history and characteristics, and the nature and seriousness of the danger to any person or the community that would be posed by defendant's release warrant defendant's detention pending trial.

WHEREFORE, the United States requests this Court to order Defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of Defendant's initial appearance.

Respectfully submitted,

JEFFREY B. JENSEN  
United States Attorney

s/ Linda Lane

Linda R. Lane, #00115411A  
Assistant United States Attorney